

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE WENTWORTH GROUP INC., FS  
PROJECT MANAGEMENT, LLC and  
FIRSTSERVICE RESIDENTIAL NEW  
YORK, INC.,

Plaintiffs,

-against-

EVANSTON INSURANCE COMPANY,

Defendant.

Civil Action No. 20-cv-06711 (GBD) (JLC)

**REPLY DECLARATION OF  
BERNICE K. LEBER  
IN FURTHER SUPPORT OF  
PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT AND IN  
OPPOSITION TO DEFENDANT'S  
CROSS-MOTION**

I, Bernice K. Leber, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner at the law firm Arent Fox LLP, counsel to Plaintiffs The Wentworth Group Inc., FS Project Management LLC, and FirstService Residential New York, Inc. (collectively, "Plaintiffs" or "FS") in this action.

2. I submit this declaration in further support of Plaintiffs' Motion for Summary Judgment and in Opposition to Defendant's Cross-Motion.

3. Attached hereto as Exhibit X is a true and correct copy of an Amendatory Endorsement to the Policy at issue herein, dated July 17, 2014, bearing Bates number FS 0051833.

4. Attached hereto as Exhibit Y is a true and correct copy of FS's Answer and Cross-Claim in the state court litigation, dated August 3, 2016.

5. Attached hereto as Exhibit Z is a true and correct copy of Chad Zupke's email and letter to Mark Beckman of Gordon & Rees, dated June 24, 2015, attaching, among other items,

Markel's Claim Litigation Management Guidelines, bearing Bates numbers FS 0051471 – FS0051498.

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 9, 2021

/s/ Bernice K. Leber  
Bernice K. Leber